

US EPA ARCHIVE DOCUMENT



PNG ARAR tables

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1 Attachment



2012-11 PNG ARAR Tables.pdf

Diana,

Attached are the ARAR tables for PNG. Please let me know if you have any questions or need anything else.

Thanks,

Kevin

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Superfund

TABLE 1
CHEMICAL-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
<u>Federal</u>			
<u>Safe Drinking Water Act</u>	40 USC Section 300		
National Primary Drinking Water Regulations	40 CFR Part 141	Establishes MCLs which are health-based standards for public water systems.	MCLs are relevant and appropriate to groundwater contaminants.
National Secondary Drinking Water Regulations	40 CFR Part 143	Establishes SMCLs which are non-enforceable guidelines for public water systems to ensure the aesthetic quality of the water.	SMCLs may be "TBC" values if treated groundwater is used as a source of water.
Maximum Contaminant Level Goals	PL No. 99-339 100 Statute 642 (1986)	Establishes drinking water quality goals set at levels of no known or anticipated adverse health effects with an adequate margin of safety.	MCLGs for organic and inorganic contaminants may be relevant and appropriate if a more stringent standard is required to protect human health or the environment.
<u>Clean Water Act</u>	33 USC Section 1251-2762		
National Pretreatment Standards	40 CFR Part 403	Sets standards to control pollutants which pass through or interfere with treatment processes in POTWs or which may contaminate sewage sludge.	Applicable to discharge of water from the hydraulic containment system, as referenced by 567 IAC 62.4(3).
<u>Clean Air Act</u>	42 USC Section 7401-7671		
National Primary and Secondary Ambient Air Quality Standards	40 CFR Part 50	Establishes standards for ambient air quality to protect public health and welfare.	Applicable to portland cement concrete batching plant equipment, as referenced by 567 IAC 28.1, for the ISS remedial option.

TABLE 1

**CHEMICAL-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA**

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
State			
<u>Iowa Environmental Quality Act</u>	Iowa Code Chapter 455B	Defines the jurisdiction of the IDNR, powers and duties of the commission and the director, and civil or criminal proceedings to be undertaken by the State Attorney General.	None.
Iowa Water Pollution Control Regulations			
Scope Of Title--Definitions--Forms--Rules Of Practice	IAC 567—Chapter 40	Water supply definitions. Defines MCLs to which IAC Chapter 133 refers.	None.
Water Supplies	IAC 567—Chapter 41	Contains the drinking water standards and specific monitoring requirements for the public water supply program.	May be relevant and appropriate to groundwater contaminants.
Water Quality Standards	IAC 567—Chapter 61	Contains the water quality standards of the State, including classification of surface waters.	Applicable to discharge of water generated during dewatering activities or from the hydraulic containment system.
Effluent And Pretreatment Standards: Other Effluent Limitations Or Prohibitions	IAC 567—Chapter 62	Contains the standards or methods for establishing standards relevant to the discharge of pollutants to waters of the state.	Applicable to discharge of water generated during dewatering activities or from the hydraulic containment system.
Rules for Determining Cleanup Actions and Responsible Parties	IAC 567—Chapter 133	These rules establish the procedures and criteria the IDNR will use to determine the parties responsible and cleanup actions necessary to meet the goals of the State pertaining to the protection of groundwater. These rules pertain to the cleanup of groundwater, soil, and surface water where groundwater may be impacted.	Applicable to soil or groundwater contaminated above State of Iowa Action Levels.

TABLE 1
CHEMICAL-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
State (continued)			
Iowa Land Recycling Program and Response Action Standards	IAC 567—Chapter 137	These rules establish the policies and procedures for the voluntary enrollment of contaminated property in the "land recycling program" established under IAC Chapter 137. These rules also establish the response action standards that participants must meet in order to qualify for an NFA certificate; the statutory protections and immunities that follow are associated with the NFA.	Not an ARAR, but a TBC guidance standard for the State of Iowa.
Iowa Air Pollution Control Regulations Ambient Air Quality Standards	IAC 567—Chapter 28	Identifies the state ambient air quality standards (adopts the National Primary and Secondary Ambient Air Quality Standards as published in 40 CFR Part 50)	Applicable to portland cement concrete batching plant equipment.

Notes:

ARAR = Applicable or relevant and appropriate requirements.
CFR = Code of Federal Regulations.
IAC = Iowa Administrative Code.
IDNR = Iowa Department of Natural Resources.
ISS = In-situ solidification.
MCLGs = Maximum Contaminant Level Goals.
MCLs = Maximum Contaminant Levels.
NFA = No further action.
POTW = Publically-Owned Treatment Works.
SMCLs = Secondary Maximum Contaminant Levels
TBC = To Be Considered.
USC = United States Code.

TABLE 2

**LOCATION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA**

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
<u>Federal</u>			
<u>Solid Waste Disposal Act</u>	42 USC Section 6901-6987		
Contents Of Part B: General Requirements	40 CFR 270.14(b)(11) (iii) and (iv)	Provides requirements for owners and operators of hazardous waste management facilities located in the 100-year floodplain.	Applicable if remedial activities result in the site becoming a TSD facility.
<u>Clean Water Act</u>	33 USC Section 1251-2762		
Section 404(b)(1) Guidelines For Specification Of Disposal Sites For Dredged Or Fill Material	40 CFR Part 230	Establishes a permit program administered by the U.S. Army Corps of Engineers to regulate discharge of dredged or fill material into waters of the U.S.	Applicable if excavated material is discharged into waters of the U.S.
<u>State</u>			
<u>Iowa Environmental Quality Act</u>	Iowa Code Chapter 455B	Defines the jurisdiction of the IDNR, powers and duties of the commission and the director, and civil or criminal proceedings to be undertaken by the State Attorney General.	None.
Floodplain Development	IAC 567—Chapters 70-72 and 75	Regulates construction on floodplains and floodways in the state.	Applicable to excavation or construction activities.

Notes:

CFR = Code of Federal Regulations.
 IAC = Iowa Administrative Code.
 IDNR = Iowa Department of Natural Resources.
 TSD = Treatment, storage, and disposal.
 U.S. = United States.
 USC = United States Code.

TABLE 3

**ACTION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA**

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
Federal			
<u>Solid Waste Disposal Act</u>	42 USC Section 6901-6987		
Hazardous Waste Management Systems: General	40 CFR Part 260	Establishes procedures and criteria for modification or revocation of any provision in 40 CFR Parts 260-265, and 268.	May be applicable if a substance at the site were to be excluded from the list of hazardous wastes.
Identification and Listing of Hazardous Waste	40 CFR Part 261	Defines those solid wastes that are subject to regulation as hazardous wastes under 40 CFR Parts 263-265 and Parts 124, 270 and 271.	Applicable.
Standards Applicable To Generators Of Hazardous Waste	40 CFR Part 262	Establishes standards for generators of hazardous waste.	Applicable.
Standards Applicable to Transporters of Hazardous Waste	40 CFR Part 263	Establishes standards that apply to persons transporting hazardous waste within the U.S. if the transportation requires a manifest under 40 CFR Part 262.	Applicable if off-site transportation of hazardous waste is required.
Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities	40 CFR Part 264	Establishes minimum national standards that define the acceptable management of hazardous waste for owners and operators of facilities that treat, store or dispose hazardous waste.	Subparts B through X would be applicable if any off-site facility accepted hazardous waste for treatment, storage, or disposal.
Land Disposal Restrictions	40 CFR Part 268	Identifies hazardous wastes that are restricted or prohibited from land disposal.	Applicable to land disposal of hazardous waste generated during the remedial action. Not applicable to environmental media left or treated in situ.
Hazardous Waste Permit Program	40 CFR Part 270	Establishes provisions covering basic EPA hazardous waste permitting requirements.	A permit is not required for on-site CERCLA response actions, per 40 CFR 300.400(e)(1). However, compliance with substantive permit requirements is required.

TABLE 3
ACTION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
<u>Federal (continued)</u>			
Off-Site Rule	40 CFR 300.440	Establishes criteria and procedures for determining whether facilities are acceptable for receipt of CERCLA wastes from response actions authorized or funded under CERCLA.	Applicable.
<u>Clear Air Act</u>	42 USC Section 7401-7642		
National Ambient Air Quality Standards	40 CFR Part 50	Treatment technology standards for emissions to air.	If an alternative developed would involve emissions governed by these standards, then the requirements are applicable.
<u>Clean Water Act</u>	33 USC Section 1251-2762		
Oil Pollution Prevention	40 CFR Part 112	Establishes procedures, methods, equipment, and other requirements to prevent discharge of oil from non-transportation-related on-shore and off-shore facilities into or upon navigable waters of the U.S.	Applicable if more that 1,320 gallons of oil is stored at the site.
Designation Of Hazardous Substances/Determination Of Reportable Quantities For Hazardous Substances	40 CFR Parts 116 and 117	This regulation designates hazardous substances and associated reportable quantities.	Applicable if hazardous substances are used and released on site.
EPA Administered Permit Programs: The National Pollutant Discharge Elimination System	40 CFR 122.26	Provides requirements for stormwater discharges.	Applicable if one or more acres are disturbed during remedial activities, as referenced by 567 IAC 64.13(1).

TABLE 3

**ACTION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA**

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
<u>Federal (continued)</u>			
Criteria And Standards For The National Pollutant Discharge Elimination System	40 CFR Part 125	Establishes criteria and standards for the imposition of technology-based treatment requirements in permits under section 301(b) of the Clean Water Act.	Applicable if dewatered groundwater is discharge to navigable waters.
Underground Injection Control Program	40 CFR Parts 144 and 146	Establishes criteria and standards and the permitting process for the underground injection of liquids.	Applicable to the underground injection of remediation agents or chemical sequestrants into wells.
<u>Emergency Planning and Community Right to Know</u>			
Emergency Planning And Notification	42 USC Section 11001-11050 40 CFR Part 355	Establishes requirements for a facility to provide information necessary for developing and implementing State and local chemical emergency response plans, and requirements for emergency notification of chemical releases.	Applicable if extremely hazardous substances are present at the site in quantities exceeding threshold levels.
Hazardous Chemical Reporting: Community Right-To-Know	40 CFR Part 370	Establishes reporting requirements for providing the public with important information on the hazardous chemicals in their communities.	Applicable if hazardous chemicals are present at the site in quantities exceeding threshold levels.
<u>Transportation</u>			
Hazardous Materials Regulations	49 CFR Parts 171-173, and 177	Establishes requirements for transportation of hazardous materials.	Applicable to off-site transportation of hazardous materials.
<u>Occupational Safety and Health Act</u>	29 USC Section 651-678	Regulates worker health and safety.	Applicable to personnel involved in implementation of remedial action.
<u>State</u>			
<u>Iowa Environmental Quality Act</u>	Iowa Code Chapter 455B	Defines the jurisdiction of the IDNR, powers and duties of the commission and the director, and civil or criminal proceedings to be undertaken by the State Attorney General.	None.
Solid Waste Management And Disposal			

TABLE 3
ACTION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
State (continued)			
Scope Of Title--Definitions--Forms--Rules Of Practice	IAC 567—Chapter 100	Provides general requirements relating to solid waste management and disposal.	Applicable.
Special Waste Authorizations	IAC 567—Chapter 109	Provides rules for disposal of special waste.	Applicable to disposal of excavated material.
Iowa Air Pollution Control Regulation			
Controlling Pollution	IAC 567—Chapter 22	Provides standards and procedures for permitting of emission sources and the special requirements for nonattainment areas.	Applicable to batch plant required to process soil binding agent used for ISS.
Emission Standards For Contaminants	IAC 567—Chapter 23	Provides air emission standards for contaminants.	Applicable to fugitive dust from remediation activities. Requires reasonable precautions to be taken to prevent nuisance levels of particulate matter. Applicable to particulate emissions from portland cement concrete batching plants used for ISS.
Excess Emission	IAC 567—Chapter 24	Details excess emissions reporting requirements, and equipment maintenance and repair requirements.	Applicable to portland cement concrete batching plant equipment used for ISS.
Measurement Of Emissions	IAC 567—Chapter 25	Provides testing and sampling requirements for new and existing sources.	Applicable to portland cement concrete batching plant equipment used for ISS.
Iowa Water Pollution Control Regulations			
Private Water Well Construction Permits	IAC 567—Chapter 38	Defines requirements for private water well construction permits.	Applicable if additional wells are installed.
Requirements For Properly Plugging Abandoned Wells	IAC 567—Chapter 39	Provides requirements for well abandonment.	Applicable if wells are abandoned.

TABLE 3
ACTION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
State (continued)			
Scope Of Title--Definitions-- Forms--Rules Of Practice	IAC 567—Chapter 40	Water supply definitions. Defines MCLs to which Chapter 133 refers.	None.
Nonpublic Water Wells	IAC 567—Chapter 49	Establishes uniform minimum standards and methods for well construction and reconstruction for nonpublic water supply wells.	Applicable to extraction wells.
Water Withdrawals	IAC 567—Chapters 50-54	Provides requirements for water withdrawal permits. Permits are required for withdrawals greater than 25,000 gallons per day.	Applicable if the withdrawal rate is greater than 25,000 gallons per day.
Scope Of Title IV (Wastewater Treatment And Disposal)--Definitions-- Forms--Rules Of Practice	IAC 567—Chapter 60	Provides general definitions and rules of practice, including forms, applicable to the public in the department's administration of this title.	Applicable if groundwater is discharged to navigable waters, or if one or more acres are disturbed during remedial activities. Provides instructions and form requirement for NPDES permit applications.
Wastewater Construction And Operation Permits	IAC 567—Chapter 64	Contains the standards and procedures for obtaining construction, operation, and NPDES permits for wastewater disposal systems.	Applicable if groundwater is discharged to navigable waters, or if one or more acres are disturbed during remedial activities.
Well Contractor Certification	IAC 567—Chapter 82	Establishes certification and requirements for well contractors.	Applicable to well installation activities.
Laboratory Certification	IAC 567—Chapter 83	Provides procedures for laboratory certification.	Applicable to all laboratories conducting analyses of contaminated site parameters pursuant to IAC 567 - Chapter 133.
Solid Waste Management And Disposal			
Scope Of Title--Definitions-- Forms--Rules Of Practice	IAC 567—Chapter 100	Provides general requirements relating to solid waste management and disposal.	Applicable.

TABLE 3

**ACTION-SPECIFIC APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
PEOPLES NATURAL GAS SITE - DUBUQUE, IOWA**

Standard, Requirement, Criteria, or Limitation	Citation	Description	Comment
State (continued)			
Spills And Hazardous Conditions			
Notification Of Hazardous Conditions	IAC 567—Chapter 131	Provides requirements for reporting a hazardous condition.	Applicable if hazardous substances are used and released during remedial activities.
Rules For Determining Cleanup Actions And Responsible Parties	IAC 567—Chapter 133	Establish procedures and criteria to determine the parties responsible and cleanup actions necessary to meet the goals of the state pertaining to the protection of groundwater. These rules pertain to the cleanup of groundwater itself and soils and surface water where groundwater may be impacted.	Applicable.

Notes:

CERCLA = Comprehensive, Environmental Response, Compensation, and Liability Act.

CFR = Code of Federal Regulations.

EPA = Environmental Protection Agency.

IAC = Iowa Administrative Code.

IDNR = Iowa Department of Natural Resources.

ISS = In-situ solidification.

MCL = Maximum Contaminant Levels.

NPDES = National Pollutant Discharge Elimination System.

U.S. = United States.

USC = United States Code.